

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

**IN THE MATTER OF:**

**CHAPTER 13 NO:**

JACKIE L. WALTON  
124 RD 1259  
NETTLETON MS 38858

09-14493

**NOTICE AND MOTION TO DISMISS**

COMES NOW, Terre M. Vardaman, Chapter 13 Trustee, the duly appointed and qualified Standing TRUSTEE in the above cause and moves to dismiss the above proceeding for the reason that the DEBTOR has failed to file a Certificate of Service of the Chapter 13 Plan with the Court after both written notification by the Court and telephonic notification by The Trustee's Office.

NOTICE IS HEREBY GIVEN, to the DEBTOR herein, that unless the Certificate of Service of Plan is filed with the Court on or before five (5) days from the date of this Motion, this case will be dismissed.

WHEREFORE, TRUSTEE moves this Court to enter its Order of Dismissal unless said Certificate of Service is timely filed within five (5) days.

RESPECTFULLY SUBMITTED,

/S/ TERRE M. VARDAMAN  
CHAPTER 13 TRUSTEE

**CERTIFICATE OF SERVICE OF NOTICE AND MOTION**

I, Terre M. Vardaman, do hereby certify that I have mailed a true and correct copy of the above and foregoing Notice and Motion, all by United States Mail, postage prepaid, to the UNITED STATES TRUSTEE, to the DEBTOR, and to the ATTORNEY for the Debtor herein.

DATED: December 4, 2009

/S/ TERRE M. VARDAMAN  
CHAPTER 13 TRUSTEE  
PO BOX 1326  
BRANDON MS 39043-1326  
601-825-7663

Hon. Denvil Crowe  
P.O. Box 1158  
Tupelo, MS 38802